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PTO/SB/21 (09-06)

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TRANSMITTAL  
FORM

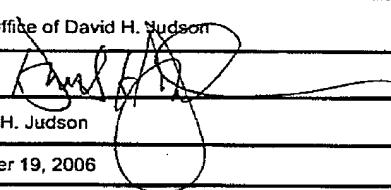
(to be used for all correspondence after initial filing)

TRANSMITTAL FORM  <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/835,663	
	Filing Date	April 16, 2001	
	First Named Inventor	Wein	
	Art Unit	2152	
	Examiner Name	Chang, Julian	
Total Number of Pages in This Submission	3	Attorney Docket Number	15

## ENCLOSURES (Check all that apply)

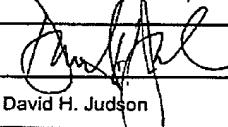
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <input type="checkbox"/> Communication Regarding Examiner Interview
<input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> Remarks
<input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement		
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Law Office of David H. Judson		
Signature			
Printed name	David H. Judson		
Date	October 19, 2006	Reg. No.	30,467

## CERTIFICATE OF TRANSMISSION/MAILING

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Signature	 10571-273-8300		
Typed or printed name	David H. Judson	Date	October 19, 2006

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OCT 19 2006

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Wein et al.  
Serial Number: 09/835,663  
Filing Date: April 16, 2001  
Art Unit: 2152  
Examiner: Chang, Julian  
For: Content Delivery Network (CDN)  
Content Server Request Mechanism  
With Metadata Framework Support  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

COMMUNICATION REGARDING EXAMINER INTERVIEW

The Interview Summary that accompanied the office action mailed September 19, 2006 included the statement that “[a]greement was reached that the amendments filed in the RCE on 08/01/06 overcame the combined reference of Gupta-Shobatake.” The undersigned appreciates the statement that “[a]greement was reached” (which it was) but the nature of the agreement (from the undersigned’s perspective) was that the combined reference of Gupta-Shobatake was simply misapplied -- irrespective of the amendments that were included in the RCE. This point was made in the RCE submission itself (“[t]hese amendments are not dictated by the prior art”), as well as by the arguments presented during the Interview. The undersigned does not believe there was an agreement or understanding to the effect that it was the particular amendments filed in the RCE – as opposed to the defects in the references themselves – that undermined the then-pending rejection.

These comments are provided simply to avoid any presumption that the RCE amendments were dictated by the Gupta-Shobatake prior art, which they were not.

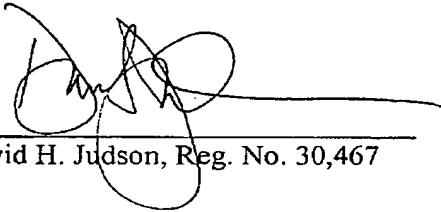
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The remainder of the Interview Summary accurately reflects the nature of the exhibit that was shown, the claims that were discussed, the specific prior art that was discussed, and the other pertinent matters that were discussed. Once again, the Examiner wishes to thank Examiner Chang for the courtesies extended during the Interview.

Respectfully submitted,

By:

  
\_\_\_\_\_  
David H. Judson, Reg. No. 30,467

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